

Article - Environment

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§4-418.

(a) Any person responsible for a discharge of oil in violation of § 4-410(a) or (b) of this subtitle is:

(1) Guilty of a misdemeanor and on conviction is subject to a fine or imprisonment or both for each offense as provided in § 4-417(b) of this subtitle;

(2) Subject to the civil penalties set forth in § 4-417(a) of this subtitle;
and

(3) Liable for the pecuniary penalty specified in § 4-417(d) of this subtitle.

(b) In addition to any other civil, criminal, or administrative penalty available, a person responsible for a discharge who violates § 4-410(a) or (b) of this subtitle in connection with a discharge or spill of oil exceeding 25,000 gallons is liable for a penalty, which may be recovered in a civil action, of up to \$100 for each gallon discharged or spilled.

(c) Clearance of a vessel or barge from a port of the State may be withheld until all penalties assessed under this subtitle and all compensatory fees charged under § 4-408 of this subtitle are paid. The penalties and compensatory fees constitute a lien on the vessel.

(d) All penalties collected under this section shall be paid into the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund.

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